

### **REMARKS**

Claims 1-41 were pending in the application. Claims 8-16 and 37-41 are canceled. Claim 42 is new. Claims 2-7 and 17-36 are allowed. Claim 1 is rejected. The Examiner is respectfully requested to reconsider and withdraw the rejection to claim 1 in view of the amendment of claim 1 and the remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Cripe et al. (U.S. Pat. No. 3,165,327). This rejection is respectfully traversed. Claim 1 is amended to recite "...the coil and bar arranged with respect to the spaced apart magnetically responsive operators to establish separate magnetic flux through each of the spaced apart magnetically responsive operators." The coil and bar recited in amended claim 1 are neither disclosed nor suggested in Cripe et al.

In contrast, the coil and bar of the controller recited in amended claim 1 are arranged, for example, with respect to the operators 36 and 40 to establish separate magnetic flux through operators 36 and 40 (FIG. 4A). Applicant therefore respectfully submits that amended claim 1 should be allowed.

### **ALLOWABLE SUBJECT MATTER**

It is stated in the Office Action Summary that claims 2-7 and 17-36 are allowed. It is stated in the body of the Office Action, however, that claims 3-7 would be allowable if rewritten in independent form. Because claim 2 is allowed and claims 3-7 depend from claim 2, Applicant assumes that claims 3-7 are also allowed. Accordingly, Applicant has

cancelled previously presented claims 37-41 which collectively included the recitations of claims 2-7 as discussed in Applicant's Amendment and Response C mailed March 30, 2004.

#### **NEW CLAIM**

New claim 42 recites a controller for simultaneously actuating two spaced apart magnetically responsive operators. The controller includes means for generally surrounding each operator while allowing each operator to move; means for providing a first flux path through a first of the surrounding means; means for providing a second flux path through the second surrounding means; and means for conducting current between the surrounding means to create flux in the first and second flux paths that moves the operators in the surrounding means. The recitations of claim 42 are supported in the specification and drawings. Applicant respectfully submits that claim 42 is in condition for allowance.

#### **CONCLUSION**


It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7521.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

Dated: October 8, 2004

By:   
Elizabeth D. Odell,  
Reg. No. 39,532

HARNESS, DICKEY & PIERCE, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, Missouri 63105  
(314) 726-7500

BKW/EDO/dmkd